

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 10-00377-CJC(AJWx)

Date: July 8, 2010

Title: VICTOR ADHESIVES & LAMINATIONS, INC. v. JAMES H. KEAN ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Michelle Urie
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS CASE SHOULD NOT BE STAYED PENDING RESOLUTION OF BANKRUPTCY PROCEEDING AND VACATING HEARING ON MOTIONS TO DISMISS [all filed 05/05/10]

Defendants James H. Kean, Tod M. Kean, Fibers Equipment, LLC, United Fibers LLC, and Superior Products Corporation of Arizona (collectively, “Defendants”) have moved to dismiss Plaintiffs Victor Adhesives & Laminations, Inc. dba Victor Insulation Products, Dan Jakary, and Nick Sleeth’s complaint for fraud and fraudulent transfer, and constructive fraudulent transfer. In essence, Plaintiffs allege that Defendants conspired to fraudulently transfer assets of Tod M. Kean and Defendant Bonded Logic to remaining Defendants so that Mr. Kean and Bonded Logic could avoid satisfying a judgment. In their papers, the parties have raised the fact that Defendant Bonded Logic, who has not yet been served, recently filed for bankruptcy in the U.S. Bankruptcy Court for the District of Arizona. This case clearly concerns Bonded Logic’s assets, and the Court is concerned that moving forward with this matter while Bonded Logic’s bankruptcy is pending will violate the automatic stay. The parties are hereby ordered to show cause why proceeding with this matter would not violate the automatic stay and why this matter should not be stayed pending resolution of Bonded Logic’s bankruptcy proceeding. Any response to this order to show cause shall be filed within fourteen days of the date of this order. The matter will stand submitted upon the filing of the parties’ responses. The hearing on the motions to dismiss, scheduled for July 12, 2010 at 1:30 p.m. is hereby

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VACATED and will be rescheduled, if necessary, after the Court decides whether to stay this case in light of the bankruptcy of Defendant Bonded Logic.

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